



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2356

Introduced 2/15/2013, by Sen. Jim Oberweis - Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-601	from Ch. 95 1/2, par. 11-601
625 ILCS 5/11-602	from Ch. 95 1/2, par. 11-602
625 ILCS 5/11-603	from Ch. 95 1/2, par. 11-603

Amends the Illinois Vehicle Code. Provides the maximum speed limit outside an urban district for any vehicle is (1) 70 miles per hour on any interstate highway; (2) 70 miles per hour for all or part of highways that are designated by the Department of Transportation, have at least 4 lanes of traffic, and have a separation between the roadways moving in opposite directions; and (3) 65 miles per hour for all other highways, roads, and streets. Provides that the counties of Cook, DuPage, Kane, Lake, McHenry, and Will may adopt ordinances establishing speed limits lower than these speeds. Permits the Department of Transportation and Toll Highway Authority to alter speed limits up to the new maximum speed limit (rather than up to 65 miles per hour).

LRB098 10723 MLW 41052 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 11-601, 11-602, and 11-603 as follows:

6 (625 ILCS 5/11-601) (from Ch. 95 1/2, par. 11-601)

7 Sec. 11-601. General speed restrictions.

8 (a) No vehicle may be driven upon any highway of this State
9 at a speed which is greater than is reasonable and proper with
10 regard to traffic conditions and the use of the highway, or
11 endangers the safety of any person or property. The fact that
12 the speed of a vehicle does not exceed the applicable maximum
13 speed limit does not relieve the driver from the duty to
14 decrease speed when approaching and crossing an intersection,
15 approaching and going around a curve, when approaching a hill
16 crest, when traveling upon any narrow or winding roadway, or
17 when special hazard exists with respect to pedestrians or other
18 traffic or by reason of weather or highway conditions. Speed
19 must be decreased as may be necessary to avoid colliding with
20 any person or vehicle on or entering the highway in compliance
21 with legal requirements and the duty of all persons to use due
22 care.

23 (b) No person may drive a vehicle upon any highway of this

1 State at a speed which is greater than the applicable statutory
2 maximum speed limit established by paragraphs (c), (d), (e),
3 (f) or (g) of this Section, by Section 11-605 or by a
4 regulation or ordinance made under this Chapter.

5 (c) Unless some other speed restriction is established
6 under this Chapter, the maximum speed limit in an urban
7 district for all vehicles is:

- 8 1. 30 miles per hour; and
- 9 2. 15 miles per hour in an alley.

10 (d) Unless some other speed restriction is established
11 under this Chapter, the maximum speed limit outside an urban
12 district for any vehicle is (1) 65 miles per hour (i) for all
13 highways under the jurisdiction of the Illinois State Toll
14 Highway Authority, unless some other speed limit is designated,
15 and (ii) for all or part of highways that are designated by the
16 Department, have at least 4 lanes of traffic, and have a
17 separation between the roadways moving in opposite directions
18 and (2) 55 miles per hour for all other highways, roads, and
19 streets.

20 (d-1) Unless some other speed restriction is established
21 under this Chapter, the maximum speed limit outside an urban
22 district for any vehicle is (1) 70 miles per hour on any
23 interstate highway as defined by Section 1-133.1 of this Code;
24 (2) 70 miles per hour for all or part of highways that are
25 designated by the Department, have at least 4 lanes of traffic,
26 and have a separation between the roadways moving in opposite

1 directions; and (3) 65 miles per hour for all other highways,
2 roads, and streets. The counties of Cook, DuPage, Kane, Lake,
3 McHenry, and Will may adopt ordinances setting a maximum speed
4 limit on highways, roads, and streets that is lower than the
5 limits established by this Section.

6 (e) In the counties of Cook, DuPage, Kane, Lake, McHenry,
7 and Will, unless some lesser speed restriction is established
8 under this Chapter, the maximum speed limit outside an urban
9 district for a second division vehicle designed or used for the
10 carrying of a gross weight of 8,001 pounds or more (including
11 the weight of the vehicle and maximum load) is 55 miles per
12 hour.

13 (e-1) (Blank).

14 (f) Unless some other speed restriction is established
15 under this Chapter, the maximum speed limit outside an urban
16 district for a bus is:

17 1. 65 miles per hour upon any highway which has at
18 least 4 lanes of traffic and of which the roadways for
19 traffic moving in opposite directions are separated by a
20 strip of ground which is not surfaced or suitable for
21 vehicular traffic, except that the maximum speed limit for
22 a bus on all highways, roads, or streets not under the
23 jurisdiction of the Department or the Illinois State Toll
24 Highway Authority is 55 miles per hour; ~~and~~

25 1.5. 70 miles per hour, upon any interstate highway as
26 defined by Section 1-133.1 of this Code outside the

1 counties of Cook, DuPage, Kane, Lake, McHenry, and Will;
2 and

3 2. 55 miles per hour on any other highway.

4 (g) (Blank).

5 (Source: P.A. 96-524, eff. 1-1-10; 97-202, eff. 1-1-12.)

6 (625 ILCS 5/11-602) (from Ch. 95 1/2, par. 11-602)

7 Sec. 11-602. Alteration of limits by Department. Whenever
8 the Department determines, upon the basis of an engineering and
9 traffic investigation concerning any highway for which the
10 Department has maintenance responsibility, that a maximum
11 speed limit prescribed in Section 11-601 of this Chapter is
12 greater or less than is reasonable or safe with respect to the
13 conditions found to exist at any intersection or other place on
14 such highway or along any part or zone thereof, the Department
15 shall determine and declare a reasonable and safe absolute
16 maximum speed limit applicable to such intersection or place,
17 or along such part or zone. However, such limit shall conform
18 with the maximum speed limit restrictions provided for in
19 Section 11-601 of this Code ~~not exceed 65 miles per hour on a~~
20 ~~highway or street which is especially designed for through~~
21 ~~traffic and to, from, or over which owners of or persons having~~
22 ~~an interest in abutting property or other persons have no right~~
23 ~~or easement, or only a limited right or easement, of access,~~
24 ~~crossing, light, air, or view, and shall not exceed 55 miles~~
25 ~~per hour on any other highway.~~ Where a highway under the

1 Department's jurisdiction is contiguous to school property,
2 the Department may, at the school district's request, set a
3 reduced maximum speed limit for student safety purposes in the
4 portion of the highway that faces the school property and in
5 the portions of the highway that extend one-quarter mile in
6 each direction from the opposite ends of the school property. A
7 limit determined and declared as provided in this Section
8 becomes effective, and suspends the applicability of the limit
9 prescribed in Section 11-601 of this Chapter, when appropriate
10 signs giving notice of the limit are erected at such
11 intersection or other place, or along such part or zone of the
12 highway. Electronic speed-detecting devices shall not be used
13 within 500 feet beyond any such sign in the direction of
14 travel; if so used in violation hereof, evidence obtained
15 thereby shall be inadmissible in any prosecution for speeding.
16 However, nothing in this Section prohibits the use of such
17 electronic speed-detecting devices within 500 feet of a sign
18 within a special school speed zone indicating such zone,
19 conforming to the requirements of Section 11-605 of this Act,
20 nor shall evidence obtained thereby be inadmissible in any
21 prosecution for speeding provided the use of such device shall
22 apply only to the enforcement of the speed limit in such
23 special school speed zone.

24 (Source: P.A. 96-524, eff. 1-1-10.)

25 (625 ILCS 5/11-603) (from Ch. 95 1/2, par. 11-603)

1 Sec. 11-603. Alteration of limits by Toll Highway
2 Authority. Whenever the Illinois State Toll Highway Authority
3 determines, upon the basis of an engineering and traffic
4 investigation concerning a toll highway under its
5 jurisdiction, that a maximum speed limit prescribed in Section
6 11-601 of this Chapter is greater or less than is reasonable or
7 safe with respect to conditions found to exist at any place or
8 along any part or zone of such highway, the Authority shall
9 determine and declare by regulation a reasonable and safe
10 absolute maximum speed limit at such place or along such part
11 or zone, and the speed limit shall conform with the maximum
12 speed limit restrictions provided for in Section 11-601 of this
13 Code not exceeding 65 miles per hour. A limit so determined and
14 declared becomes effective, and suspends the application of the
15 limit prescribed in Section 11-601 of this Chapter, when (a)
16 the Department concurs in writing with the Authority's
17 regulation, and (b) appropriate signs giving notice of the
18 limit are erected at such place or along such part or zone of
19 the highway. Electronic speed-detecting devices shall not be
20 used within 500 feet beyond any such sign in the direction of
21 travel; if so used in violation hereof, evidence obtained
22 thereby shall be inadmissible in any prosecution for speeding.
23 (Source: P.A. 89-444, eff. 1-25-96.)